

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

<b>UNITED STATES OF AMERICA,</b>	)	
	)	
<b>Plaintiff,</b>	)	<b>8:05CR73</b>
	)	
<b>v.</b>	)	<b>REPORT AND RECOMMENDATION</b>
	)	<b>AND</b>
<b>RIGOBERTO VALLE CRUZ and</b>	)	<b>ORDER</b>
<b>ANGELINA A. ALFORD,</b>	)	
	)	
<b>Defendants.</b>	)	

At the conclusion of the hearing on May 17, 2005, on the defendants' motion to suppress evidence (Filing Nos. 20 and 23), I stated my conclusions on the record and my decision to recommend that Cruz's motion to suppress (Filing No. 23) be denied as to the seizure of the evidence from a Ford SUV but granted as to evidence seized from a Daewoo automobile, and that Alford's motion to suppress (Filing No. 20) be granted in all respects. In accordance with that announcement,

**IT IS RECOMMENDED** to the Honorable Joseph F. Bataillon, United States District Chief Judge, that Cruz's motion to suppress, Filing No. 23, be denied as to any evidence seized from the Ford SUV but granted as to evidence seized from the Daewoo automobile, and that Alford's motion to suppress (Filing No. 20) be granted in all respects.

**FURTHER, IT IS ORDERED:**

1. The clerk shall cause an expedited transcript of the hearing to be prepared and filed.
2. Pursuant to NECrimR 57.3 any objection to this Report and Recommendation shall be filed with the Clerk of the Court within ten (10) days after the transcript is available to counsel for reading in the clerk's office. Failure to timely object may constitute a waiver of any such objection. The brief in support of any objection shall be filed at the time of filing such objection. Failure to file a brief in support of any objection may be deemed an abandonment of the objection.

Dated this 18th day of May, 2005.

BY THE COURT:

s/Thomas D. Thalken  
United States Magistrate Judge